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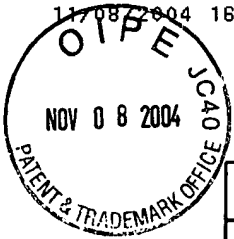
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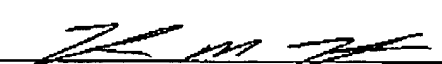
  
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Amendment Under 37 CFR 1.312;  
Amendment Transmittal (1 page); and  
Certificate of Transmission under 37 CFR 1.8 (1 page).



AMENDMENT TRANSMITTAL LETTER				Expedited Procedure	
Application No. 10/688,632		Filing Date October 17, 2003		Examiner D. J. Davis	
				Group Art Unit 3731	
Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok				Docket No. SPINE 3.0-455 CIP	
Invention: INSTRUMENTATION AND METHODS FOR USE IN IMPLANTING A CERVICAL DISC REPLACEMENT DEVICE					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
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Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
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 Kevin M. Kocun, Patent Agent Attorney Reg. No. 54,230				Dated: November 8, 2004	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6337					

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**FAX TRANSMISSION****DATE:** November 8, 2004**PTO IDENTIFIER:** Application Number 10/688,632  
Patent Number**Inventor:** Joseph P. Errico et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** 703-746-4000**FROM:** LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
Kevin M. Kocun, Patent Agent**PHONE:** (908) 518-6383**Attorney Dkt. #:** SPINE 3.0-455 CIP**PAGES (Including Cover Sheet):** 6**CONTENTS:** Amendment Under 37 CFR 1.312;  
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**EXPEDITED PROCEDURE**

Group Art Unit: 3731

Docket No.: SPINE 3.0-455 CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: :  
Zubok et al. : Confirmation No. 2586  
: :  
Application No.: 10/688,632 : Group Art Unit: 3731  
: :  
Filed: October 17, 2003 : Examiner: D. Jacob Davis  
: :  
For: INSTRUMENTATION AND METHODS FOR :  
USE IN IMPLANTING A CERVICAL :  
DISC REPLACEMENT DEVICE :

**AMENDMENT UNDER 37 CFR 1.312**

Commissioner for Patents  
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